



## Commission on the Humane Treatment of Animals

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Meeting Minutes for Thursday, April 17, 2008

Present: Dick Wentzel, Joyce Matott, George Cook, Jim Kennedy, Dr. Stephen Crawford, Representative Carla Skinder, Sheila Presby, Deb Simson, Roni McCall, Mark Ellingwood, Stephanie Frommer, Mike Hughes, Steve Sprowl, Dr. Jeri Zezula, Lisa Hall, Elin Phinizy, Nancy Johnson and Joanne Bourbeau.

Also present: Carol Nadeau, Jan Gardiner and Trish Morris

### **Update on new/replacing and returning members**

Sheila Presby, Chair, had hoped to meet with Kathy Goode of the Governor's Executive Office before today's meeting but was unable to. The meeting is to discuss the present executive order and member representation this commission.

### **Approval of last meetings minutes**

The March 27<sup>th</sup> minutes were approved with amendments

### **Update about Sullivan County**

Representative Carla Skinder talked about a safe haven program for animals under protective custody. She has been talking to representatives of Sullivan County where the old county complex could possibly be used as a work farm for use in mass custody animal cruelty cases or for large animal cases. The plan is to get the prison inmates to work the farm. The farm would be covered 24/7 for accountability. The old county complex needs some updating/renovating but is something to think about, the proposal is still in the beginning/thinking stages. But the idea might help keep the costs down on sheltering mass animal abuse cases as the expenses might only be things like feed.

Dr. Stephen Crawford, State Veterinarian and Steve Sprowl, NH Federation of Humane Organizations Representative, think it is a great possibility because there are just not enough facilities to currently support these mass cruelty cases. Dr. Crawford stated that currently the cost is about \$20.00 per day to take care of an animal in a seizure case, which is borne by the towns since the local law enforcement authorities are the lead agencies on cruelty cases.

Dr. Crawford will provide a list of licensed shelters that are active in animal welfare/investigations/housing of animals from seizures.

Dick Wentzel, public member, stated in Grafton County such a facility never got off the ground because a group of inmates did not want to do this and so they can not be made to work against their wills. Dr. Zezula, UNH Cooperative Extension Representative, said that the facility was shut down for economic reasons.

#### **Update on cruelty case cost analysis report for the Governor**

Roni McCall, Commission Secretary, stated we have not been able to obtain any new case cost information.

Roni also brought in a copy of Merrimack, NH 2007 annual report to show the commission members. Roni asked if the information contained in this and each community's annual report would assist us in obtaining the cost analysis information we are gathering.

Both Dr. Jeri Zezula and Stephanie Frommer, Animal Control Officers representative stated that this information isn't going to give us actual case costs because the information given pertains to the number of calls the Animal Control Officers receive. Many of these calls do not result in any court action so we wouldn't be getting accurate case cost information from these reports.

Sheila Presby read a letter from Rick St. Hilaire, Grafton County Attorney. Rick gave us some stats from cases he has prosecuted and from other county attorneys. Rick states his best conservative guess is that felony animal cruelty cases cost taxpayers per case on average of about \$2000 to investigate and prosecute and that the New Hampshire taxpayer has spent

at least \$124,000 on these felony cases over the last five years. This estimate does not include misdemeanor animal cruelty cases, which would increase the total number of cases much more, and uses conservative assessments. Rick's conclusions are based on the following estimates and assumptions:

- \$385 in prosecutor costs (14 hours of work on a case at \$27.50/hr.)
- \$165 in Victim/Witness costs (5 hours of work on a case at \$25/hr. plus \$40 in postage and phone, and other admin costs)
- \$675 in police costs (15 hours of work for two officers at \$22.50/hr., which includes investigation, figuring where the animals will be located, taking the animals/evidence into custody, documenting the scene, report writing, testifying, talking with the prosecution)
- \$600 in court costs (includes judge time and court expenses)
- \$75 in travel expenses/gas etc.

Rick received felony animal cruelty prosecutions numbers from 5 of the 10 counties he polled. Based on these numbers, experience, and knowing the various counties' populations and crime problems, Rick ventured to make some educated guesses about the numbers of animal cruelty cases going to superior court. Rick estimated that from 2002-2007 there have been roughly 62 felony animal cruelty cases statewide. The breakdown is as follows:

- Merrimack 12 (estimate)
- Hills 17 (actual)
- Rockingham 12 (actual)
- Strafford 8 (estimate)
- Grafton 3 (actual)
- Belknap 2 (estimate)
- Sullivan 2 (estimate)
- Cheshire 2 (actual)
- Coos 2 (actual)
- Carroll 2 (estimate)

#### **Upcoming Legislation/Pending hearings**

Nancy Johnson, Lobbyist, Commission Member, gave us an update on the bills currently in the state legislature

| Bill | Committee | Title | Public Hearing | Action |
|------|-----------|-------|----------------|--------|
|------|-----------|-------|----------------|--------|

## Number

|        |                            |  |                 |  |
|--------|----------------------------|--|-----------------|--|
| HB581  | Judiciary                  | relative to the penalty for purposely mistreating service animals                |                 | Senate Committee OTPA with amendments by a vote of 5:0 |
| HB666  | Wildlife, Fish & Game      | an act establishing a license fee for the sale of animal vaccines                | 4/16/2008 1:05  | Senate Committee OTP by a vote of 4:0                  |
| HB1142 | Fish and Game              | relative to licensure for bird breeders  | 1/10/2008 11:15 | ITL  |
| HB1143 | Public & Municipal Affairs | relative to penalties for failure to provide outdoor dogs with necessary shelter |                 | Passed House Assigned in Senate                        |
| HB1232 | Wildlife, Fish & Game      | relative to regulation by fish and game department of baiting for game birds     | 4/9/2008 1:05   | Passed House and Senate                                |
| HB1266 | Fish and Game              | allowing 50 caliber pistols to take game animals in the state                    |                 | Passed House and Senate                                |
| HB1293 | Wildlife, Fish & Game      | animal population control program  | 4/16/2008 1:10  | Senate Committee ITL by a vote of 4:0                  |
| HB1301 | Health & Human Services    | relative to the definition of "service dogs"                                     |                 | Passed House Assigned in Senate                        |
| HB1314 | E&A                        | relative to animal cruelty   | 2/24/2008 0:00  | ITL  |
| HB1430 | Wildlife, Fish & Game      | relative to the care of dogs used in dog racing                                  | 4/16/2008 1:25  | Senate Committee ITL by a vote of 4:0                  |
| HB1522 | E&A                        | relative to care standards for farm animals                                      | 2/19/2008 11:00 | ITL  |
| HB1545 | Ways and Means             | establishing a waiver option for live-racing tracks                              | 2/19/2008 11:30 | ITL  |
| HB1569 | Wildlife, Fish & Game      | Regulating the use of drugs on wildlife  | 4/9/2008 1:25   | Passed House and Senate                                |

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|--------|---------------------------------|---|-----------------|--|
| HB1609 | Criminal Justice                | relative to misrepresentation of service animals  | 2/19/2008 10:00 | Interim Study  |
| HB1613 | Judiciary                       | Makes changes to certain statutes relating to crimes against children                       | 4/9/2008        | Senate Committee OTPA with amendment to include bestiality |
| SB205  | E&A                             | Eliminating an exception to state reimbursement for drug testing for racing dogs and horses | 1/17/08         | ITL  |
| SB375  | Municipal and County Government | allowing veterinarians to inform town clerks about dogs that have been euthanized           | 3/26/2008 1:00  | Passed House and Senate                                    |
| SB504  | Public & Municipal Affairs      | Restricting the number of puppies to be sold by commercial kennels                          | 2/12/2008 8:45  | ITL  |
| SB513  | Criminal Justice                | relative to fighting animals  | 3/25/2008 10:30 | Passed Senate and now the House by a vote of 18:0          |

**Update on <http://www.nh.gov/humane> website**

Sheila Presby asked that next we begin to work on Bio's for each of the commission members to be added to the website. She also envisions a page for the History of the commission and future projects. Roni McCall will come up with a format for the bio's and send it to the commission members.

**New Business**

Dr. Jeri Zezula reported on a seminar in Portland, ME organized by the Maine Coalition on Domestic Violence. Jeri has put the information on the nh.gov/humane website. Dr. Zezula plans on attending the seminar.

Roni McCall brought up an article from the Union leader (see attached article). The article is about Criminal record erasures being granted in record numbers and once a conviction is annulled, it's against the law for anyone (including a victim) to talk about it. Roni asked if this is something the commission should look at in regards to animal cruelty cases being

annulled. As we all know animal abusers usually go onto commit more heinous crimes and if these annulments are to continue, anyone with a conviction now that has it annulled would not get 3 strikes consideration in court. Roni further asked if this might be a future bill we would request to exclude animal cruelty from these annulments.

Jan Gardiner, public visitor, asked the difference between misdemeanor and felony cases. Steve Sprowl explained that in misdemeanor case you must prove that the perpetrator was neglectful and the case is usually resolved with a fine and probation. In felony cases the perpetrator intentionally/purposely harmed the animals and the case is usually resolved with jail time.

### **Open Discussion**

CSR program - Sheila Presby asked Steve Sprowl about attending the next NH Fed meeting which is next Wednesday, April 23<sup>rd</sup> at the NHSPCA in Stratham to get more information from the Fed members regarding Jill Tucker's CSR Vermont Program. Sheila would like to find out if the CSR program is something they would be interested in doing.

Roni McCall had attempted to reach the NH Fed President, Mary Taylor to make the request but the emails are being bounced back as their server recently was upgraded and the filters are bouncing back the email request.

Jim Kennedy, NH Wildlife Association representative, being a new member of the commission asked if we could put together a package of information to bring the new members up to speed. Jim is not familiar with the animal cruelty statutes and was not given a history of the commission from his predecessor. Dr. Jeri Zezula stated he can find all the minutes, along with the report sent to the Governor last year on the [nh.gov/humane](http://nh.gov/humane) webpage.

Joanne Bourbeau, National Humane Organizations representative, gave Jim her copy of the Statutes book to peruse. The book lists all the animal statutes for NH. The book is available through the NH Federation of Humane Organizations for \$25.00 and it is available at NHSPCA, PO Box 196, Stratham, NH 03885.

Steve Sprowl will ask the Federation if they will provide us with more copies of the book gratis. Note: this Commission is made up of members appointed by the Governor but has neither budget nor legislative aide to make such purchases.

Mark Ellingwood, NH Fish and Game representative and Mike Hughes, public member, asked if the meeting minutes could include the name and the organization each member is representing as we now have some 30 members of this commission and aren't yet familiar with what agency the member is representing. Roni McCall has begun implementing this into these minutes and when all the members (after Sheila Presby's meeting with Kathy Goode) are assigned will print up new name cards with the corresponding representation.

### **Announcements**

Carol Nadeau, Governors Commission on Disabilities spoke about an upcoming benefit dinner at the Grapone Conference Center in Concord, NH. The Dinner with the Animals is on Friday, 4/18 at 6pm. The keynote speaker is Dr. Myrna Milani, and the event is a benefit for the Concord Merrimack County SPCA.

Stephanie Frommer spoke about the upcoming New England Federation of Humane Organizations conference - in Burlington, VT, on April 28-30<sup>th</sup> at the Sheraton Hotel as something of interest to this commission. Stephanie, will be a speaker as well as an attendee of this conference.

### **Strategic Planning**

Deb Simson, Cat Fanciers representative, continued our strategic planning project. Deb put together a draft of the vision statement for the next 3-5 years along with providing us a handout of the SWOT feedback from the members (see attached Strategic Plan Phase 2).

Deb explained that a mission statement is for the purpose of the commission and the vision statement is an overview of where we want to be in a few years.

The draft of the vision statement is as follows:

The vision of the commission is to be a permanent, goal-oriented organization that is implemental in preventing and addressing animal abuse in NH by providing recommendations to the Governor on ways to better prevent and address animal abuse in NH as one balanced voice.

Our Mission Statement comes from Governor Lynch's Executive Order 2006-3 as follows:

The Commission shall evaluate animal abuse in NH; perform a thorough analysis of all statutory and administrative rules; assess State, community and private programs that address animal abuse; and provide recommendations to the Governor on ways to better prevent and address animal abuse in NH.

Deb stated that our goals must fit our mission.

(i.e. Do we see a need for a permanent commission vs. commission at the pleasure of the reigning Governor?)

Next homework assignment: SWOT: Derive Opportunities or goals from list of weaknesses. Deadline Friday, May 23<sup>rd</sup> by end of day.

**Next Meeting Date:**

May 29<sup>th</sup> 2008, at 1pm in Senate Room 100 of the State House

Minutes submitted by Roni McCall, Commission Secretary on 4/21/08.